

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

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U.S. DISTRICT COURT
N.D. OF ALABAMA

CECIL DATES,)
)
 Plaintiff,)
)
 vs.) Case No. CV-98-PT-0615-E
)
 HANK W. M. FANNIN,)
 BEATRICE W. P. DATES,)
 MICHAEL GIVENS,)
 STEPHEN B. LEVINSON,)
 WILBUR WALLACE, JOHN NETTLES,)
 WILLIAM LAWRENCE,)
 JUDY O'CONNOR, WILLIAM C. YOUNG,)
 ALABAMA BOARD OF PARDONS AND)
 PAROLES, J. STEPHEN SPRAYBERRY,)
 DONALD L. PARKER, LOUIE F. GRIMES,)
 SANDRA GARRETT, BOBBY GARRETT,)
 NITA GARRETT,)
 EARNESTINE L. G. HARMON,)
 WILLIE F. GARRETT, JERRY SWAIN,)
 LINDA HILL, GOV. FOB JAMES, CITY OF)
 TALLADEGA, JERRY STUDDARD, ED)
 REAVES, GEORGE N. SIMS,)
)
)
 Defendants.)

ENTERED

JUN 2 8 2000

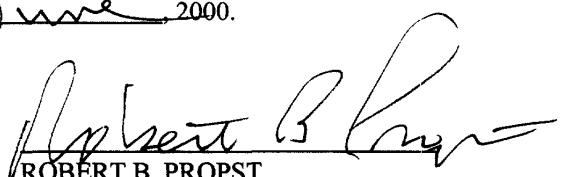
MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on May 22, 2000, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed as frivolous pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997(e). The plaintiff filed objections to the report and recommendation on May 31, 2000.

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Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997(e). A Final Judgment will be entered.

DATED this 25 day of June, 2000.



ROBERT B. PROPST
UNITED STATES DISTRICT JUDGE